

1 DAVID W. SHAPIRO (NYSBN 2054054)  
United States Attorney

2 Attorney for Plaintiff

SEALED BY ORDER  
OF THE COURT

ORIGINAL  
FILED

NOV 15 2007

RICHARD W. WILKINS  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

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6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8 OAKLAND DIVISION

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 DAVID CONKEY and  
13 CAROL CONKEY,

14 Defendants.

Criminal No. **CR01-40184DLJ**

VIOLATIONS: 21 U.S.C. § 846 –  
Conspiracy to Manufacture  
Controlled Substance; 21 U.S.C. § 841 –  
Manufacture of Controlled Substance; 21  
U.S.C. § 841(a)(2) – Possession and  
Distribution of a Listed Chemical  
Knowing and Having Reason to Know  
That It Will Be Used to Manufacture  
a Controlled Substance; 21 U.S.C.  
§ 853(a)(1) and (p) - - Criminal Forfeiture

OAKLAND VENUE

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19 INDICTMENT

20 The Grand Jury charges that:

21 COUNT ONE: (21 U.S.C. § 846)

22 Beginning at a time unknown to the Grand Jury, but not later than in and during  
23 August, 1992 and continuing thereafter until at least in or about October, 2001 in the  
24 Northern District of California, and elsewhere, the defendants

25 DAVID CONKEY and  
26 CAROL CONKEY,

INDICTMENT

1 willfully and knowingly did combine, conspire, confederate and agree with each other and  
2 with other persons whose names are both known and unknown to the Grand Jury, to  
3 manufacture methamphetamine, and to aid and abet the manufacture of methamphetamine,  
4 a Schedule I controlled substance, in violation of Title 21, United States Code, Section  
5 841(a)(1);

6 All in violation of Title 21, United States Code, Section 846.

7  
8 COUNT TWO: (21 U.S.C. §841(c)(2))

9 On or about September 22, 1998, in the Northern District of California, the  
10 defendants

11 DAVID CONKEY and  
12 CAROL CONKEY

13 did knowingly possess and distribute a List II listed chemical, to wit: iodine, knowing and  
14 having reasonable cause to believe that it would be used to manufacture a controlled  
15 substance, in violation of Title 21, United States Code, Section 841(c)(2).

16 COUNT THREE: (21 U.S.C. §841(c)(2))

17 On or about October 13, 1998, in the Northern District of California, the defendants

18 DAVID CONKEY and  
19 CAROL CONKEY

20 did knowingly possess and distribute a List II listed chemical, to wit: iodine, knowing and  
21 having reasonable cause to believe that it would be used to manufacture a controlled  
22 substance, in violation of Title 21, United States Code, Section 841(c)(2).

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24 COUNT FOUR: (21 U.S.C. §841(c)(2))

25 On or about March 16, 1999, in the Northern District of California, the defendants

26 DAVID CONKEY and

CAROL CONKEY

did possess and distribute a List II listed chemical, to wit: iodine, knowing and having reasonable cause to believe that it would be used to manufacture a controlled substance, in violation of Title 21, United States Code, Section 841(c)(2).

COUNT FIVE: (21 U.S.C. §841(a)(1))

On or about September 22, 1998, in the Northern District of California, the defendants

DAVID CONKEY and  
CAROL CONKEY

did knowingly and intentionally manufacture and aid and abet the manufacture of a controlled substance, to wit: methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX: (21 U.S.C. §841(a)(1))

On or about October 13, 1998, in the Northern District of California, the defendants

DAVID CONKEY and  
CAROL CONKEY

did knowingly and intentionally manufacture and aid and abet the manufacture of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SEVEN: (21 U.S.C. §841(a)(1))

On or about March 16, 1999, in the Northern District of California, the defendants

INDICTMENT

1 DAVID CONKEY and  
2 CAROL CONKEY

3 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
4 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

5 COUNT EIGHT: (21 U.S.C. §841(a)(1))

6 On or about January 12, 2000, in the Northern District of California, the defendants

7 DAVID CONKEY and

8 CAROL CONKEY

9 *knowingly and intentionally*  
10 did manufacture and aid and abet the manufacture of a controlled substance, in violation of  
11 Title 21, United States Code, Section 841(a)(1).

12 COUNT NINE: (21 U.S.C. §841(a)(1))

13 On or about March 2, 2000, in the Northern District of California, the defendants

14 DAVID CONKEY and  
15 CAROL CONKEY

16 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
17 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

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19 COUNT TEN: (21 U.S.C. §841(a)(1))

20 On or about April 26, 2000, in the Northern District of California, the defendants

21 DAVID CONKEY and  
22 CAROL CONKEY

23 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
24 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

25 COUNT ELEVEN: (21 U.S.C. §841(a)(1))  
26

INDICTMENT

1 On or about August 28, 2000, in the Northern District of California, the defendants

2 DAVID CONKEY and  
3 CAROL CONKEY

4 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
5 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6 COUNT TWELVE: (21 U.S.C. §841(a)(1))

7 On or about December 7, 2000, in the Northern District of California, the defendants

8 DAVID CONKEY and  
9 CAROL CONKEY

10 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
11 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

12 COUNT THIRTEEN: (21 U.S.C. §841(a)(1))

13 On or about February 14, 2001, in the Northern District of California, the defendants

14 DAVID CONKEY and  
15 CAROL CONKEY

16 did knowingly and intentionally manufacture and aid and abet the manufacture of a  
17 controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).  
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1 COUNT FOURTEEN: (21 U.S.C. § 853)

2 1. The allegations of Counts One through Thirteen of this Indictment are realleged and  
3 incorporated by reference as though fully set forth in this Count.

4 2. As a result of the offenses alleged in Counts One through Thirteen above, the  
5 defendants

6 DAVID CONKEY and  
7 CAROL CONKEY

8 shall forfeit to the United States property as proceeds obtained directly and indirectly, as a  
9 result of said violations.

10 3. The property to be forfeited by the defendants includes but is not limited to the  
11 following property:

12 a. \$400,300 in United States Currency seized at defendants'  
13 residence on October 10, 2001.

14 b. A parcel of land, including any improvements, located at 109  
15 Stonehurst Court, Martinez, California, 94553, identified by  
16 Assessor's Parcel Number 367-220-017, and more particularly  
17 described as follows:

18 LOT: 41; CITY: UNINCORPORATED; SUBDIVISION:  
19 SUBDIVISION 7091; RECORDER'S MAP REFERENCE:  
20 MB356 PG25;

21 c. A parcel of land, including any improvements, located at 5300  
22 Stonehurst Drive, Martinez, California 94553-9721, identified by  
23 Assessor's Parcel Number 367-220-001, and more particularly  
24 described as follows:

25 CITY: UNINCORPORATED; Tract 7091, Lot 1.  
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1 4. If, as a result of any act or omission of either defendant, any of said property

- 2 a. cannot be located upon the exercise of due diligence;  
3 b. has been transferred or sold to or deposited with, a third person;  
4 c. has been placed beyond the jurisdiction of the Court;  
5 d. has been substantially diminished in value; or  
6 e. has been commingled with other property which without  
7 difficulty cannot be subdivided;

8 then the defendants shall forfeit to the United States any and all interest each has in any  
9 other property (not to exceed the value of the above forfeitable property).

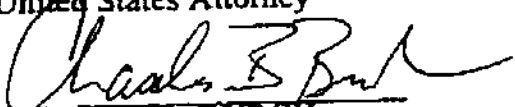
10 All in violation of Title 21, United States Code, Section 853(a)(1) and (p).

11  
12 DATED:

A TRUE BILL.

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FOREPERSON

16 DAVID W. SHAPIRO  
United States Attorney

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18 CHARLES B. BURCH  
Chief, Oakland Office

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20 (Approved as to form: MEP)

AUSA Pougiales

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INDICTMENT